

The applicant for item #5 has confidential statutes in which his name and address is protected. Please do not have the applicant state his name or address when he presents his item. We have used his legal description of his property for the public record and application.

Thank you

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: Catbriar Way (Lot 83 Block A) - Request for a rear yard setback variance from 30 feet to 10 feet for a proposed bedroom addition in R-1A (Single Family Dwelling District).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Kathy Fall **CONTACT:** Joy Williams **EXT.** 7399

Agenda Date 02/26/07 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **DENY** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed bedroom addition in R-1A (Single Family Dwelling District); or
2. **APPROVE** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed bedroom addition in R-1A (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Location: Catbriar Way (Lot 83 Block A) Zoning: R-1A (Single Family Dwelling District) Subdivision: Tuska Ridge
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 15 foot by 22 foot bedroom addition to the rear of the existing home. • The proposed 330 square foot addition would encroach 20 feet into the required 30-foot rear yard setback. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property.
STAFF FINDINGS	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <ul style="list-style-type: none"> • No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands,

	<ul style="list-style-type: none">• Special conditions and circumstances result from the actions of the applicant.• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	<p>Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate a hardship. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the proposed addition as depicted on the attached site plan; and• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.

INDEX OF ATTACHMENTS

Items that are checked are included in the packet

- ☒ Staff Report
- ☒ Application
- ☒ Applicant statement of request
- ☒ Proposed Site Plan
- ☒ Location map
- ☒ Property Appraiser data sheet
- ☐ PUD Commitment Card, *if applicable*

Support information:

- ☒ Proposed elevation drawings, renderings, floor plans, etc
- ☐ Aerials, *if warranted*
- ☐ Plat, *if warranted*
- ☐ Code Enforcement information
- ☐ Building Permit information
- ☐ Correspondence
- ☐ Authorization letter
- ☐ Supporting documentation
- ☐ Letters of support
- ☒ HOA approval letter
- ☐ Pictures provided by applicant
- ☐ Other miscellaneous documents

- ☐ Proposed Development Order

Fee: \$150.00 plus \$50.00 for each additional variance

COPY

Application # BV2007-03
Meeting Date 2-26-07



VARIANCE APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

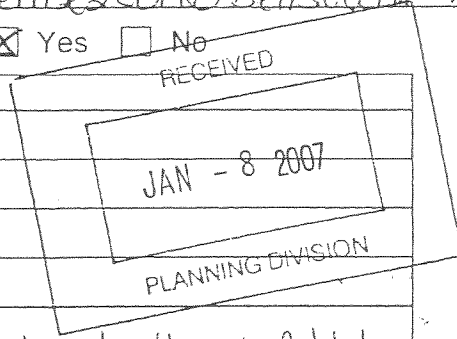
PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: _____
Address: 2248 CATBRIAR WAY City: OWIEDO Zip code: 32765
Project Address: same City: _____ Zip code: _____
Contact number(s): (407) 474-5030 or (407) 257-0433
Email address: Mike2001@bellsouth.net or Denise2001@bellsouth.net

Is the property available for inspection without an appointment? ☒ Yes ☐ No

What type of structure is this request for?

<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: <u>15x22 Master bedroom Addition</u>
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<input type="checkbox"/> This request is for a structure that has already been built.	



What type of variance is this request?

<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:	
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Rear yard setback	Required setback:	<u>30 ft.</u>	Proposed setback:	<u>10 ft.</u>
<input type="checkbox"/> Side yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Fence height	Required height:		Proposed height:	
<input type="checkbox"/> Building height	Required height:		Proposed height:	
Use below for additional yard setback variance requests:				
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Total number of variances requested _____				

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Variance application and submittal checklist are provided to the planning division.

Signed: _____

FOR OFFICE USE ONLY

Date Submitted: <u>1-9-06</u>	Reviewed By: <u>P. Johnson</u>
Tax parcel number: <u>18-21-31-510-0A00-0830</u>	Zoning/FLU <u>R-1A / LOR</u>
<input type="checkbox"/> Legally created parcel (1971 tax roll, 5-acre dev, lot split) <input type="checkbox"/> Platted Lot (check easements as shown on lots, in notes or in dedication) <input type="checkbox"/> Lot size _____ <input type="checkbox"/> Meets minimum size and width <input type="checkbox"/> Application and checklist complete	
Notes: _____	

VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.	
	1. Completed application.
✓	2. Owner's authorization letter (if needed). <i>This form can be obtained online.</i>
	3. Provide a legible 8 ½ x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. <i>View a sample site plan online as an example of the information needed; please draw to scale and note the scale used on the plan.</i>
	<input type="checkbox"/> Please start with a clean survey (ex: white out old approval stamps)
✓	1 <input type="checkbox"/> Size and dimension of the parcel <u>65 X 120</u>
✓	2 <input type="checkbox"/> Location and name of all abutting streets <u>CATHART WAY</u>
✓	3 <input type="checkbox"/> Location of driveways
✓	NA <input type="checkbox"/> Location, size and type of any septic systems, drainfield and wells
✓	4 <input type="checkbox"/> Location of all easements
✓	5 <input type="checkbox"/> Existing or proposed house <u>or</u> addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
✓	6 <input type="checkbox"/> Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
✓	7 <input type="checkbox"/> Building height <u>1 story</u>
	8 <input type="checkbox"/> Setbacks from each building to the property lines
✓	NA <input type="checkbox"/> Location of proposed fence(s)
✓	9 <input type="checkbox"/> Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

2248 Catbriar Way
Oviedo, FL 32765
407-474-5030
407-257-0433

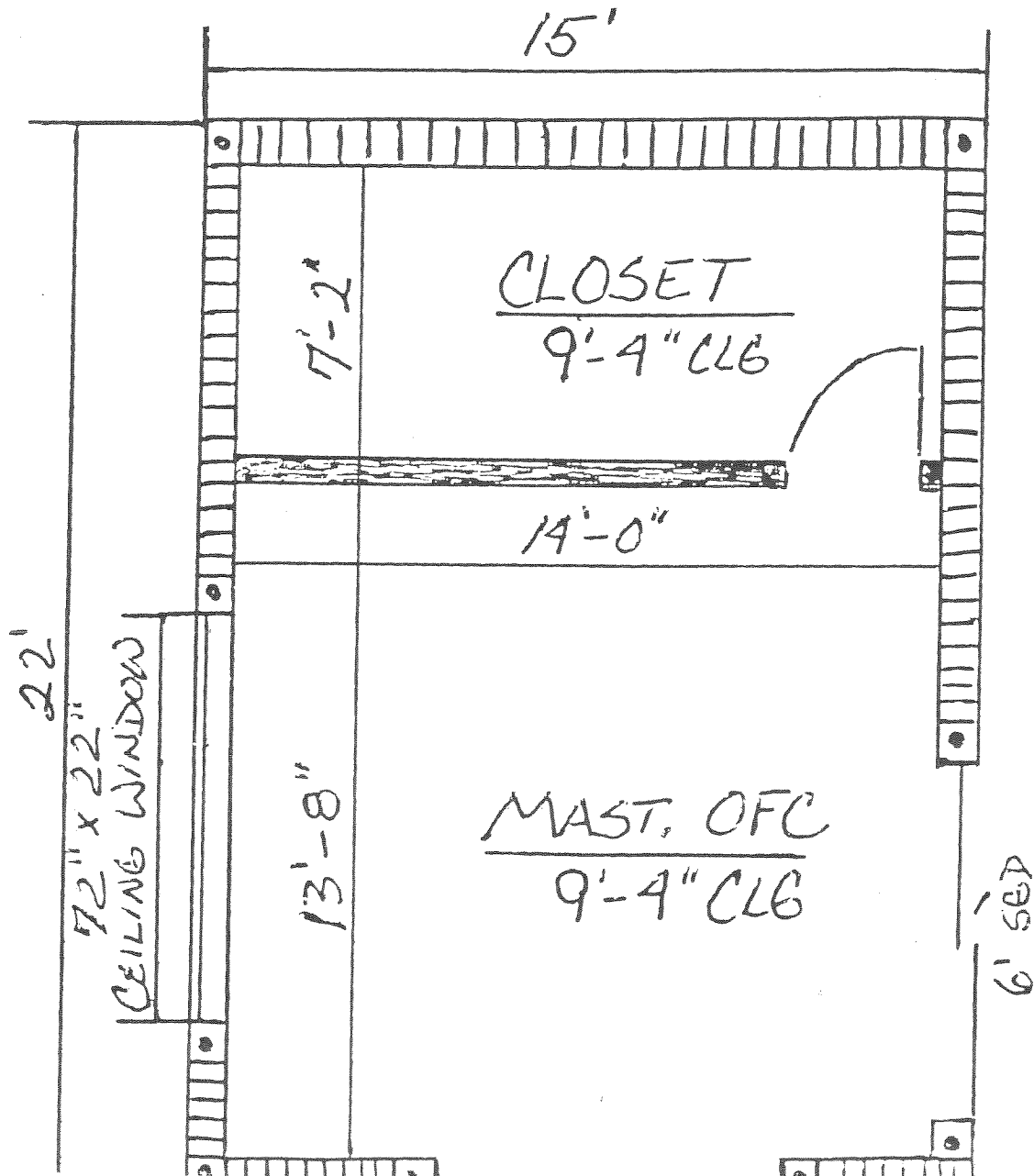
We want to add a 15 x 22 addition to our master bedroom. This room will be used as a home office, study/sitting area. This room will be attached to the current structure. The window currently in the master bedroom will be removed and used as the walk through area.

-The interior room will be 13'-8" x 14'-0" with a 7'-2" x 14'-0" closet.

-We are going to have the "ceiling window" match the same window that is currently in the master bedroom. The size of that window will be 72" inches long by 22" inches high.

-We are going to add a 6' sliding glass door to go out to the pool area.

New Addition diagram, not to scale



DESCRIPTION

TUSKA RIDGE UNIT THREE
PLAT BOOK 43. PAGES 23 & 24

S 00°51'07" E 84.74' MEAS
S 00°41'59" E 85.00' PLAT

LOT 82

S 89°18'01" W 170.00' PLAT
S 89°03'29" W 170.22' MEAS

PHILIP R. YONCE
FLAT BOOK 1, PAGE 38

REQUESTED
Addition/Room

N 89° 18' 01" E 25.00' P 24M

CATBRIAR WAY 50' R/W

165.14' PLAT
165.25' MEAS

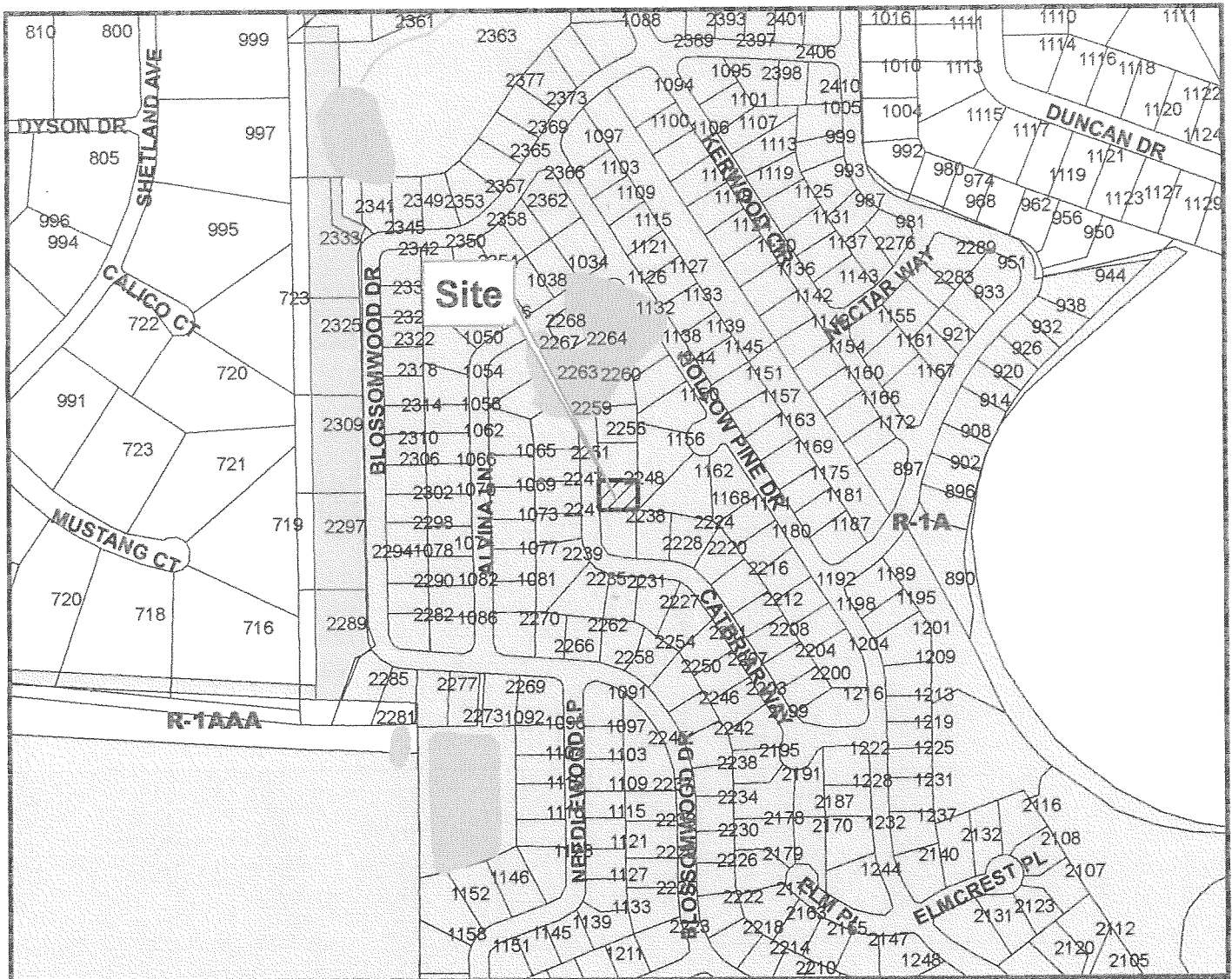
THIS SURVEY MEETS THE MINIMUM TECHNICAL
STANDARDS AS REQUIRED BY CHAPTER 61G17-4
FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO
SECTION 172.027 FLORIDA STATUTES.

ACCURIGHT SURVEYS

of Orlando Inc., LB 4475
2012 E. Robinson St.

[illegible]

Catbriar Way
(Lot 83, Block A, Tuska Ridge Unit 6)
Oviedo, Florida 32765







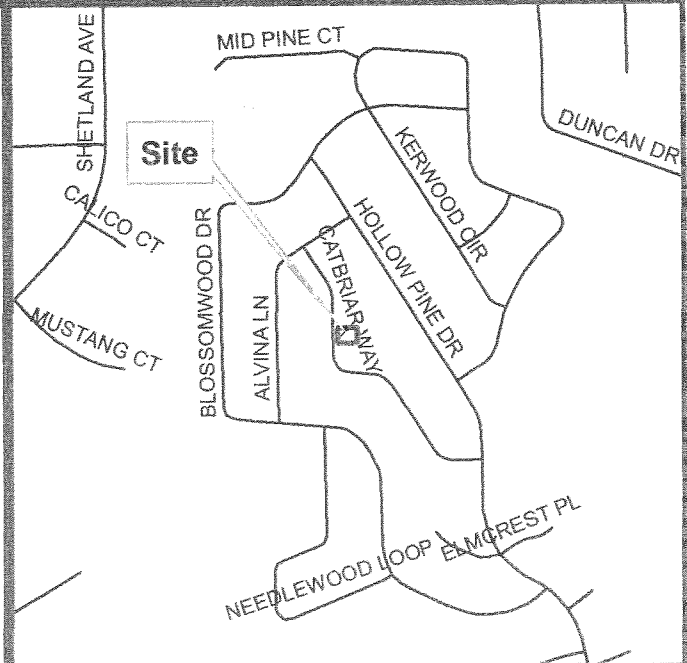
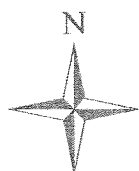
Seminole County Board of Adjustment
February 26, 2007

Case: BV2007-03 (Map 3159, Grid A7)

Parcel No: 18-21-31-510-0A00-0830

Zoning

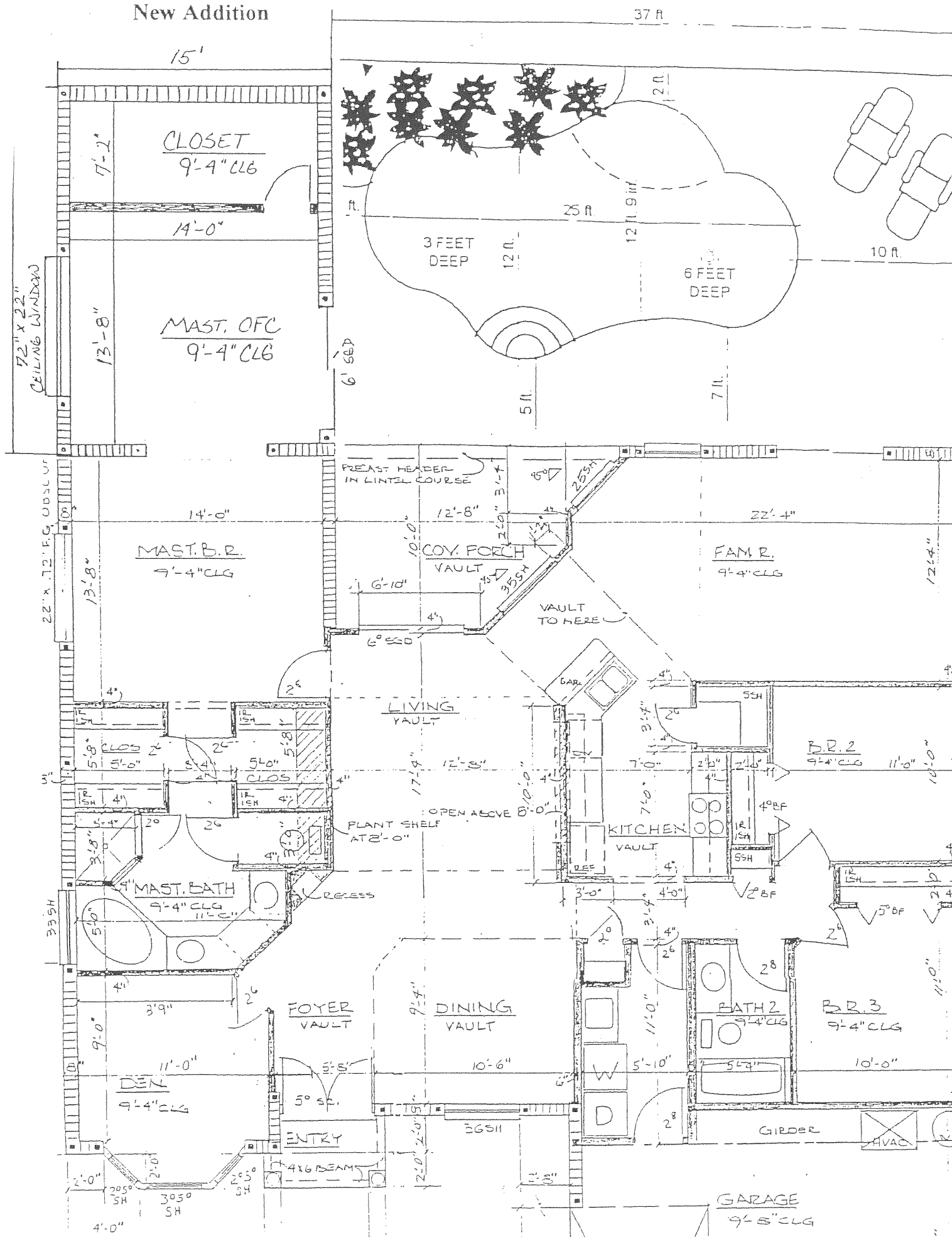
-  BV2007-03
-  A-1
-  RC-1
-  R-1A



DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506	MAPPING DISABLED		MAPPING DISABLED																																																								
GENERAL Parcel Id: 18-21-31-510-0A00-0830 Owner: CONFIDENTIAL PER STATUTES Own/Addr: 119.071 Mailing Address: 1101 E 1ST ST City,State,ZipCode: SANFORD FL 32771 Property Address: Subdivision Name: TUSKA RIDGE UNIT 6 Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2001) Dor: 01-SINGLE FAMILY			2007 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$162,700 Depreciated EXFT Value: \$8,734 Land Value (Market): \$59,000 Land Value Ag: \$0 Just/Market Value: \$230,434 Assessed Value (SOH): \$160,063 Exempt Value: \$25,000 Taxable Value: \$135,063 Tax Estimator																																																								
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>10/2001</td> <td>04248</td> <td>1430</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1998</td> <td>03473</td> <td>0001</td> <td>\$31,000</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1994</td> <td>02871</td> <td>0865</td> <td>\$340,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision			Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	10/2001	04248	1430	\$100	Improved	No	WARRANTY DEED	07/1998	03473	0001	\$31,000	Vacant	Yes	WARRANTY DEED	12/1994	02871	0865	\$340,000	Vacant	No	2006 VALUE SUMMARY Tax Value(without SOH): \$3,324 2006 Tax Bill Amount: \$2,101 Save Our Homes (SOH) Savings: \$1,223 2006 Taxable Value: \$130,401 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS																												
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																																					
QUIT CLAIM DEED	10/2001	04248	1430	\$100	Improved	No																																																					
WARRANTY DEED	07/1998	03473	0001	\$31,000	Vacant	Yes																																																					
WARRANTY DEED	12/1994	02871	0865	\$340,000	Vacant	No																																																					
LAND <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>59,000.00</td> <td>\$59,000</td> </tr> </tbody> </table>			Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	59,000.00	\$59,000	LEGAL DESCRIPTION LEG LOT 83 BLK A TUSKA RIDGE UNIT 6 PB 45 PGS 90 & 91																																												
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																						
LOT	0	0	1.000	59,000.00	\$59,000																																																						
BUILDING INFORMATION <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>2000</td> <td>8</td> <td>1,841</td> <td>2,506</td> <td>1,841</td> <td>CB/STUCCO FINISH</td> <td>\$162,700</td> <td>\$168,165</td> </tr> <tr> <td colspan="3">Appendage / Sqft</td> <td colspan="7">OPEN PORCH FINISHED / 124</td> </tr> <tr> <td colspan="3">Appendage / Sqft</td> <td colspan="7">OPEN PORCH FINISHED / 26</td> </tr> <tr> <td colspan="3">Appendage / Sqft</td> <td colspan="7">GARAGE FINISHED / 515</td> </tr> </tbody> </table> NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished Permits										Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	2000	8	1,841	2,506	1,841	CB/STUCCO FINISH	\$162,700	\$168,165	Appendage / Sqft			OPEN PORCH FINISHED / 124							Appendage / Sqft			OPEN PORCH FINISHED / 26							Appendage / Sqft			GARAGE FINISHED / 515						
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																																		
1	SINGLE FAMILY	2000	8	1,841	2,506	1,841	CB/STUCCO FINISH	\$162,700	\$168,165																																																		
Appendage / Sqft			OPEN PORCH FINISHED / 124																																																								
Appendage / Sqft			OPEN PORCH FINISHED / 26																																																								
Appendage / Sqft			GARAGE FINISHED / 515																																																								
EXTRA FEATURE <table border="1"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>POOL GUNITE</td> <td>2000</td> <td>288</td> <td>\$4,752</td> <td>\$5,760</td> </tr> </tbody> </table>										Description	Year Blt	Units	EXFT Value	Est. Cost New	POOL GUNITE	2000	288	\$4,752	\$5,760																																								
Description	Year Blt	Units	EXFT Value	Est. Cost New																																																							
POOL GUNITE	2000	288	\$4,752	\$5,760																																																							

SCREEN ENCLOSURE	2000	1,624	\$2,491	\$3,248
COOL DECK PATIO	2000	364	\$1,051	\$1,274
SOLAR HEATER	2001	1	\$440	\$1,100
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.				

37 R



TUSKARIDGE COMMUNITY ASSOCIATION, INC.
C/O SUTHERLAND MANAGEMENT, INC.
107 N. LINE DRIVE
APOPKA, FL 32703
Address Correction Requested

December 21, 2006

2248 Catbriar Way
Oviedo, FL 32765

RE: ARC Application

Dear

Please accept this letter on behalf of the Tuskaridge Community Association Architectural Review Committee. The ARC has reviewed and approved your request as submitted to add a 15'x22' addition to your master bedroom at the rear of your home, with the following conditions:

1. *You will be responsible for obtaining all necessary building permits and a copy must be forwarded to Sutherland Management*
2. *Building over any easements is not permitted*
3. *The height of addition should not exceed the existing home total height; finish material and colors must match exactly the existing home; roof material and color must match exactly the existing home*

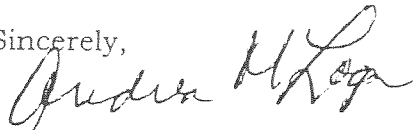
On behalf of the ARC, your request is approved contingent upon compliance with all of the applicable setbacks and easement requirements for your community. Please be certain to follow all of the guidelines and specifications, which were outlined in your request.

NOTE:

This plan has been reviewed for the limited purpose of determining the aesthetic compatibility of the plans with the community in general in the subjective opinion of the approving authority. This plan is approved on a limited basis. No review has been made with respect to functionality, safety, compliance with governmental regulations, or otherwise and any party with respect to such matter should make no reliance on this approval. The approving authority expressly disclaims liability of any kind with respect to this plan. The review hereof, or any structure built pursuant hereto, including, but not limited to, liability for negligence or breach of express or implied warrant.

Thank you in advance for your cooperation. Should you have any questions, please contact me at 407-774-7262, extension 112.

Sincerely,



Andrea M. Logan, LCAM
Community Association Manager

AML/mg

CC: File